

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

35

Application Number	10/053,266
Filing Date	January 17, 2002
First Named Inventor	Ernst Heinz
Art Unit	1638
Examiner Name	Helmer, Georgia L.
Attorney Docket Number	VOS-29 CON

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☒ Reply to Office Communication☐ Extension of Time Request (in duplicate)☐ Express Abandonment Request☐ Supplemental Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Exhibits 1-3

Postcard

Remarks

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 06-1075, Order No. 003747-0068.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name FISH &amp; NEAVE IP GROUP OF ROPES &amp; GRAY LLP

Signature

Printed name James F. Haley, Jr.

Date March 26, 2007

Reg. No. 27,794

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this paper/fee and all enclosures noted above are being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, V.A. 22313-1450.

Signature

Typed or printed name

Isatta B. Smith

Date March 26, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Express Mail Label No. EV 930023526 US  
Docket No.: VOS-29 CON  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

---

In re Patent Application of:  
Ernst Heinz, et al.

Application No.: 10/053,266

Confirmation No.: 1286

Filed: January 17, 2002

Art Unit: 1638

For: NOVEL METHOD FOR THE GENERATION  
AND SELECTION OF TRANSGENIC  
LINSEED/FLAX PLANTS

---

Examiner: Helmer, Georgia L.

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116**

**MS After Final**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment and Response are submitted in reply to the January 26, 2007 Final Office Action in the above-identified application. This Amendment and Response are timely filed within two months of the mailing date of the Final Office Action. Please enter the following amendments and remarks:

**Amendments to the claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.